

time, and, on motion of Mr. Van Derlip, referred to the committee on Privileges and Elections.

A bill to create the county of McLennan; read second time, and, on motion of Mr. Robertson, referred to the committee on County Boundaries.

Resolution of the House appointing a committee of three and requesting the appointment of a like committee, on part of the Senate, to wait on the Governor elect and inform him of his election, &c.; read.

Mr. Pease offered to amend by adding: "*Be it further resolved*, That a like committee, on the part of the House, be appointed to wait on the Hon. John A. Greer and inform him of his election as Lieutenant Governor of this State to serve for two years from and after the 21st of December, and that said committee ascertain when it will be convenient for the Lieutenant Governor elect to be installed into office;" adopted.

The resolution as amended was adopted.

Messrs. Robertson, Ward and Kinney were appointed a committee, on the part of the Senate, to perform said duty.

Mr. Robertson offered the following resolution:

Resolved, That the House of Representatives be respectfully requested by the Secretary of the Senate to transmit to the Senate the original correspondence of S. M. Baird, on our Santa Fe territory, furnished that House by the Governor; adopted.

On motion of Mr. Davis, the Senate adjourned.

WEDNESDAY, 9 o'clock, A. M., Dec. 12th, 1849.

The Senate was called to order by the President. Senators present: Messrs. Cooke, Davis, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Pease, Phillips, Portis, Robertson, Taylor, Truit, Van Derlip, Walker, Ward and Wallace; prayer by the Chaplain; journal of the preceding day read and adopted.

Mr. Robertson, chairman of the committee on Private Land Claims, made the following report:

To the Hon. JOHN A. GREER,
Committee Room, December 12, 1849.

President of the Senate.

The committee on Private Land Claims to whom was referred a joint resolution for the relief of John Barton, have had the same under consideration, and have instructed me to report:

That the proof adduced before the committee fully establishes the facts as alledged by the petition, which facts are that the said John Barton entered the service of the Republic of Texas as a volunteer, on the first day of June, 1836, and that he served a tour of six months and was honorably discharged; and that he had done and performed the duties of a citizen up to the present time. There is also the oath of the party that he has never received a certificate for the same. The committee therefore report the bill back to the Senate without amendment, and recommend its passage. All of which is respectfully submitted.

J. B. ROBERTSON, Chairman.

Mr. Taylor, chairman of the committee on Roads, Bridges and Ferries, to whom was referred a bill to amend the 3d, 4th, 6th, 7th and 9th sections of an act authorizing and requiring the county courts to regulate roads, appoint overseers, &c., approved March 15, 1848, reported a substitute for the same and recommended its adoption.

Mr. Phillips, chairman of the committee on the Judiciary, to whom was referred a bill to make valid the acts of Thos. R. Hill, as Clerk of the District Court for the county of Titus, reported the same back to the Senate for its action.

Mr. Phillips, from the same committee, to whom was referred a bill to authorize the several clerks of the county courts in the State of Texas to take the separate acknowledgment of married women to deeds executed by them, reported the same back to the Senate, and recommended its passage.

Mr. Phillips also made the following report:

COMMITTEE ROOM, December 12, 1849.

To the Honorable JOHN A. GREER,

President of the Senate:

The committee on the Judiciary have had under consideration as requested by the Senate, that portion of the Governor's message relating to the Supreme Court.* A majority of the committee have instructed me to report that they deem it inexpedient to divide the court at this time; Senator Wallace dissenting.

Mr. Phillips, chairman of the committee of conference on the part of the Senate, on a bill authorizing all State, District and County officers to perform their duties until their successors are elected and qualified according to law, reported that they recommend the House recede from its amendment to the bill originating in the Senate, and that the same be passed with the amendments herewith submitted.

Amendments.

In the third line, after the word "therein" strike out the following, "unless removed by death, resignation or otherwise," and insert as follows, "When the time for which they were respectively elected shall have expired."

In the second line from the bottom, strike out the words "elected and," and insert the word "duly." In same line strike out the words "according to law."

A. H. PHILLIPS,
Chairman on part of the Senate.
WM. H. STEWART,
Chairman on part of the House.

Mr. Wallace introduced a bill to divide the State of Texas into two Supreme Court Districts; read first time.

Mr. Moffett introduced a bill to provide for withdrawal of security on official bonds; read first time.

ORDERS OF THE DAY.

The report of the select committee to whom were referred the rules of the Senate, was read and adopted, and 200 copies of the rules ordered to be printed.

A bill to apportion the Senators and Representatives of the Legislature among the several counties in this State, together with the substitute for the same, was read.

Mr. Wallace moved to lay the bill and substitute on the table until Monday next, and to have 50 copies of each printed.

Division of the question being called, the bill was laid on the table.

The question then recurred on printing the bill and substitute; a further division of the question was called for, and the yeas and nays were called on printing the original bill and stood as follows:

Yea—Messrs. Cooke, Davis, Kinney, Parker, Robertson, Van Derlip, Walker and Wallace; 8.

Nay—Messrs. Burleson, Gage, Grimes, Hart, Latimer, McRae, Moffett, Pease, Phillips, Portis, Taylor, Truit and Ward; 13 lost.

The yeas and nays were then called on printing 50 copies of the substitute, and stood as follows:

Yea—Messrs. Cooke, Gage, Kinney, Parker, Robertson, Walker and Wallace; 7.

Nay—Messrs. Burleson, Davis, Grimes, Hart, Latimer, Mc-

Rae, Moffett, Pease, Phillips, Portis, Taylor, Truit, Van Derlip and Ward; 14; lost.

The question then recurred on Mr. Wallace's motion to print 50 copies of the bill and substitute. The yeas and nays being called, stood thus.

Yea—Messrs. Cooke, Gage, Hart, Kinney, Parker, Robertson, Van Derlip, Walker and Wallace; 9.

Nays—Messrs. Burleson, Davis, Grimes, Latimer, McRae, Moffett, Pease, Phillips, Portis, Taylor, Truit and Ward; 12; so the Senate refused to print.

A bill to fix the whole number of Senators at twenty-one, and apportion them among the several districts herein established, according to the number of qualified electors, and to apportion 52 the whole number of Representatives among the several counties, according to the number of free white population in each, together with substitute for a portion of the bill, was read, and on motion of Mr. Taylor, laid on the table until Monday the 17th inst.

Mr. Wallace moved to have 25 copies of the bill printed, upon which the yeas and nays were called and stood thus:

Yea—Messrs. Cooke, Gage, Hart, Parker, Robertson, Walker and Wallace; 7.

Nays—Messrs. Burleson, Davis, Grimes, Latimer, McRae, Moffett, Pease, Phillips, Portis, Taylor, Truit and Van Derlip; 12; so the Senate refused to print.

A message was received from the House of Representatives through their Chief Clerk, transmitting the correspondence of S. M. Baird judge of the 11th Judicial District: also informing the Senate that the House had adopted a resolution instructing the committee on Private Land Claims to act in conjunction with the same committee of the Senate—the Senate concurring—to take into consideration the expediency of providing a tribunal by means of which headright certificates may be issued; which resolution was read and concurred in by the Senate.

A bill for the relief of C. C. Taylor; read third time and passed.

A bill to incorporate the Brownsville Lyceum; read third time and passed by a constitutional majority, the yeas and nays being as follows:

Yea—Messrs. Burleson, Cooke, Davis, Gage, Grimes, Kinney, Latimer, McRae, Moffett, Parker, Phillips, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace; 18.

Nays—Messrs. Hart and Pease; 2.

Mr. Walker was excused from voting.

A joint resolution for the relief of the citizens of Jasper county; read second time, and on motion of Mr. McRae, referred to the committee on Finance.

A bill to reserve to every family in this State certain property therein specified, and to exempt the same from forced sale under execution or otherwise; read second time, and on motion of Mr. Portis, referred to the committee on the Judiciary.

A bill supplementary to an act to incorporate the Austin College, approved November, 1849; read second time, and on motion of Mr. Grimes referred to the committee on Education.

A joint resolution authorizing the Governor to appoint an agent to collect and arrange the proper documents and present the claims of the State and its citizens for services rendered and expenditures incurred for protection from Indian depredations; read second time, and on motion of Mr. Kinney referred to the committee on Military Affairs.

A bill for the relief of all just and bona fide holders of, or claimants to lands granted by the governments of Spain, Mexico, or colonized and held in conformity to the laws of Tamaulipas, as recognized by the constitution and laws of the Republic and State of Texas, lying and situated in that portion of territory within the limits of Texas, west of the Nueces river, to prohibit patents from issuing thereon, that said holders or claimants may have time to have registered and filed their muniments and warrants of title as this act shall direct; read, second time and on motion of Mr. Kinney referred to the Committee on the Judiciary.

The correspondence of Judge Baird was read and on motion of Mr. Gage referred to the committee on Federal Relations.

[For all correspondence on the subject of our Santa Fe relations, see Appendix.]

Mr. Robertson introduced a joint resolution for the payment of outstanding claims against certain officers of government; read first time.

Mr. Burleson chairman of the committee on Military Affairs, to whom was referred a bill to provide for the removal of the munitions of war, belonging to the State of Texas, to the city of Austin, reported the same back to the Senate and recommend its passage.

Mr. Kinney presented the petition of Elizabeth Ryals which was read, and on motion of Mr. Kinney referred to the committee on Military Affairs.

On motion of Mr. Robertson the Senate adjourned.